

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
ARMOND JOE NUNEZ, )  
Defendant. )

CASE NO. CR04-524 RSL

DETENTION ORDER

Offenses charged:

Count I: Conspiracy to Distribute Marijuana, in violation of Title 21, U.S.C.,  
Sections 841(a)(1), 841 (b)(1)(B), and 846;

Count II: Possession with Intent to Distribute Marijuana, in violation of Title  
21, U.S.C., Sections 841(a)(1) and 841(b)(1)(B) and Title 18,  
U.S.C., Section 2.

Date of Detention Hearing: January 19, 2006

The Court, having conducted a contested detention hearing pursuant to Title 18  
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention  
hereafter set forth, finds that no condition or combination of conditions which the defendant  
can meet will reasonably assure the appearance of the defendant as required and the safety

DETENTION ORDER  
PAGE -1-

1 of any other person and the community. The Government was represented by Sarah Vogel.  
2 The defendant was represented by Thomas Hillier.

3 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

4 (1) There is probable cause to believe the defendant committed the drug  
5 offense. The maximum penalty is in excess of ten years. There is  
6 therefore a rebuttable presumption against the defendant's release based  
7 upon both dangerousness and flight risk, under Title 18 U.S.C. §  
8 3142(e).

9 (2) Nothing in this record satisfactorily rebuts the presumption against  
10 release for several reasons. Under Title 18 § 3142 (g), the Court  
11 considered the following:

12 (a) Defendant had just completed serving state probation for a similar  
13 offense when the alleged crime occurred.

14 (b) Although Defendant surrendered, it was two years after being on  
15 fugitive status and with the knowledge of a federal investigation  
16 underway.

17 Based upon the foregoing information, it appears that there is no condition or  
18 combination of conditions that would reasonably assure future Court appearances and/or  
19 the safety of other persons or the community.

20 **It is therefore ORDERED:**

21 (1) The defendant shall be detained pending trial and committed to the  
22 custody of the Attorney General for confinement in a correction facility  
23 separate, to the extent practicable, from persons awaiting or serving  
24 sentences or being held in custody pending appeal;

25 (2) The defendant shall be afforded reasonable opportunity for private  
26 consultation with counsel;

- 1 (3) On order of a court of the United States or on request of an attorney for  
2 the Government, the person in charge of the corrections facility in which  
3 the defendant is confined shall deliver the defendant to a United States  
4 Marshal for the purpose of an appearance in connection with a court  
5 proceeding; and  
6 (4) The clerk shall direct copies of this order to counsel for the United  
7 States, to counsel for the defendant, to the United States Marshal, and to  
8 the United States Pretrial Services Officer.

9 DATED this 22<sup>nd</sup> day of January, 2007.

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12 MONICA J. BENTON  
13 United States Magistrate Judge  
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